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November 6, 2003

Attorney Docket No.: 08215-412002

## Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Presented for filing is a new divisional patent application of:

Applicant: CHRISTOPHER J. BYERS, AUGUSTO D. HERNANDEZ, DENNIS O.  
CONWAY AND NEAL DIRK

Title: LOAD TOP CHANGER WITH DIRECT DRIVE AND BRAKE

The prior application is assigned of record to McGraw-Edison Company,  
a Delaware corporation, by virtue of an assignment submitted to the Patent and  
Trademark Office and recorded on September 5, 2001 at 012141/0101.

Enclosed are the following papers, including those required to receive a filing date  
under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	15
Claims	7
Abstract	1
Declaration	2
Drawing(s)	27

### Enclosures:

- Copy of Form PTO-892 - Cited references by Examiner (1 page), which  
were filed in the parent application. Please enter these in this application.
- Form PTO-1449, 1 page, listing documents cited in the parent  
application(s). Please confirm that these have been considered in this  
application by returning a copy of the Form PTO-1449 with the  
examiner's initials.
- Preliminary amendment, 12 pages.
- Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i) (1 page)
- Postcard.

13281 U.S. PTO  
110603

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951



BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

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22388 U.S. PTO  
10/701446

110603

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This application is a divisional of U.S. Application No. 09/841,182, filed April 25, 2001, now allowed. The disclosure of the prior application is considered part of and is incorporated by reference in the disclosure of this application.

Basic filing fee	\$770
Total claims in excess of 20 times \$18	\$0
Independent claims in excess of 3 times \$86	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$770

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (202) 783-5070.

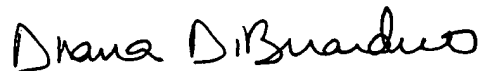
Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please direct all correspondence to the following:

26171

PTO Customer Number

Respectfully submitted,



Diana DiBerardino

Reg. No. 45,653

Enclosures

DZD/lbc

40183854.doc

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Christopher J. Byers et al.		
Title	Load Top Changer with Direct Drive and Brake		
Atty Docket Number	08215-412002		

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

November 6, 2003  
Date

Diana DiBerardino  
Signature

Diana DiBerardino  
Registration No. 45,653

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Christopher J. Byers et al.                      Art Unit : Not Yet Assigned  
Serial No. : Not Yet Assigned                                      Examiner : Not Yet Assigned  
Filed : October 30, 2003  
Title : LOAD TOP CHANGER WITH DIRECT DRIVE AND BRAKE

**Attention: Official Draftsman**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

Please substitute the enclosed Thirty (30) sheets of formal drawings for the corresponding drawings presently in the application.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: November 6, 2003

Diana DiBerardino  
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Reg. No. 45,653

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